

JUL 18 2005

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**Gunnison, McKay &
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To: Examiner Diem K. Cao **From:** Forrest Gunnison
Fax: 1-571-273-8300 **Pages:** 6 Total
Phone: 1-571-272-3760 **Date:** 7/18/2005
Re: Submission of Terminal Disclaimer for Entry
Your Ref: Serial No. 09/847,781 **Our Ref:** P-5775
• **Comments:**

Applicants: Martin Matula, Petr Hrebejk
Assignee: Sun Microsystems, Inc.
Title: METHOD FOR DYNAMIC IMPLEMENTATION OF JAVA TM META DATA INTERFACES
Serial No.: 09/847,781 **Filed:** May 1, 2001
Examiner: Diem K. Cao **Group Art Unit:** 2126
Docket No.: P-5775

Enclosed is:

1. Response to Telephonic Requirement for Submission of Terminal Disclaimer (2 pages), with:
 - a. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over Pending Second Application Including Statement Under 37 CFR 3.73(B) (3 pages).

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify this paper is being facsimile transmitted to the Patent and Trademark Office (fax No. 571-273-8300) on the date shown below:


Signature
Rivkah Young

July 18, 2005

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Pg 2 was not received

Appl. No. 09/847,781
Paper dated July 18, 2005
Reply to Telephonic Request of July 13, 2005

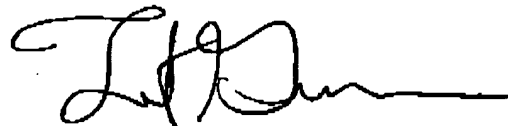
☒ The Commissioner is hereby authorized to charge any additional fees required for consideration of the enclosed documents, and to credit any overpayment of fees to Deposit Account No. 50-0553.

If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

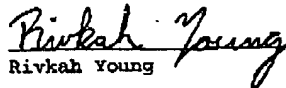
CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (571) 273-8300, on July 18, 2005.

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899


Rivkah Young

July 18, 2005
Date of Signature

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P. 02

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Appl. No. 09/847,781
Reply to Telephonic Request of July 13, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martin Matula, Petr Hrebejk

Assignee: Sun Microsystems, Inc.

Title: METHOD FOR DYNAMIC IMPLEMENTATION OF JAVA TM META
DATA INTERFACES

Serial No.: 09/847,781

Filed: May 1, 2001

Examiner: Diem K. Cao

Group Art 2126
Unit:

Docket No.: P-5775

Santa Clara, CA

Mail Stop Amendment
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

07/20/2005 BBONNER 00000001 500553 09047781
01 FC:1814 130.00 DA

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER PENDING SECOND APPLICATION INCLUDING STATEMENT
UNDER 37 CFR 3.73(B)**

Sir:

The owner, Sun Microsystems, Inc., a Delaware corporation, having a place of business at 4120 Network Circle, Santa Clara, CA 95054, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/848,392 filed on May 2, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs

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- 1/3 -

JUL-15-2005 FRI 03:11 PM

FAX NO.

P. 03

Appl. No. 09/847,781
Reply to Telephonic Request of July 13, 2004

with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) represents that she is a representative empowered to act on behalf of the owner.

The owner states that it is the assignee of the entire right, title, and interest in the instant application by virtue of an Assignment from the inventor(s) of the instant application to Sun Microsystems, Inc.. The assignment was recorded in the Patent and Trademark Office at Reel/Frame 011803/0929. The owner states that it is the assignee of the entire right, title, and interest in the pending second application by virtue of an Assignment from the inventor(s) of the pending second application to Sun Microsystems, Inc.. The assignment of the pending second application was recorded in the Patent and Trademark Office at Reel/Frame 011805/0939.

I hereby declares that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

- 2/3 -

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P. 04

Appl. No. 09/847,781
Reply to Telephonic Request of July 13, 2004

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7/15/05

Date

Marilyn E. Glaubenskle

Signature

Ms. Marilyn E. Glaubenskle, Esq.
Assistant General Counsel
Sun Microsystems, Inc.